(d) A Calamity Relief Fund (CRF) has been constituted with an allocated amount for each State based on the Award of the 12th Finance Commission for the period 2005-10, which is contributed by the Government of India and the State Government in the ratio of 3:1. The State Governments are required to meet the expenditure for providing immediate relief to the victims of notified natural calamities *viz.* avalanches, cyclone, cloud burst, drought, earthquake/ Tsunami, fire, flood, hailstorm, landslides and pest attacks, as per the approved norms and items of assistance from the CRF. In the event of a calamity of a severe nature, in which the requirement of funds for relief operations is beyond the funds available in the States CRF account, additional Central assistance is also considered from National Calamity Contingency Fund (NCCF), after following the laid procedure.

The details showing the allocation and release of Central Share of Calamity Relief Fund (CRF) and funds released from National Calamity /Contingency Fund (NCCF) during the year 2008-09 as a whole, is given as statement-II (Refer to the statement appended to the answer to USQ 549 Part (b) and (c))

Caste and class conflicts in Rajasthan

†567. DR. PRABHA THAKUR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of persons killed or injured in caste and class conflicts in Rajasthan during the last two years, and the causes of these conflicts;

(b whether the offenders involved therein have been arrested; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SHRIPRAKASH JAISWAL): (a) to (c) Information is being collected and will be laid on the Table of the House.

Assessment on Custodial Deaths

568. SHRIMATI SUPRIYA SULE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether four persons died or had been killed in prison and police custody every day during the period between 2002-07;

(b) whether according to Government figures, as many as 7468 custodial deaths have occurred in the period but only a fraction are convicted for it;

(c) whether this was revealed in the first ever nation-wide assessment for the use of the "Torture in India, 2008";

(d) whether this has been brought out in the report by Asian Centre for Human Rights, an NGO;

(e) whether Government has considered the report; and

(f) the steps proposed to be taken to avoid such custodial deaths in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (DR. SHAKEEL AHMAD): (a) to (f) As per the guidelines issued by the National Human Rights Commission (NHRC) to all State

†Original notice of the question was received in Hindi

Governments/Union Territories, all cases of custodial deaths are required to be reported to the NHRC within 24 hours of its occurrence alongwith the relevant reports viz. Inquest Reports, Magisterial Inquiry Reports, Post-Mortem Reports.

Year-wise deaths reported to NHRC in Judicial as well as police custody for the period 1.4.2002 to 31.3.2008 is given in statement (*See* below).

In every proven case of such violation of human rights, the NHRC recommends interim relief/compensation for the family of the deceased and/or disciplinary action/prosecution of the erring public servant.

The Chairperson and Members of the NHRC during their visits to the State/Union Territories, always emphasize upon State functionaries the need to curb the occurrence of custodial deaths. Besides, the Commission from time to time, while disposing of cases of custodial deaths, makes appropriate observations to the State authorities to prevent recurrence of such custodial deaths.

Section 176 of Criminal Procedure Code has been amended through the Code of Criminal Procedures (Amendment) Act, 2005 to provide that in the case of death or disappearance of a persons, or rape of a woman while in the custody of the police, there shall be a mandatory judicial inquiry and in case of death examination of the dead body shall be conducted within 24 hours of death.

The Ministry has circulated the important guidelines as directed by Hon'ble Supreme Court in the case of D.K. Basu *Vs.* State of West Bengal which are to be followed by all authorities concerned while making the arrests. Amendments have also been proposed in the Cr. P.C. through the Code of Criminal Procedure (Amendment) Bill, 2006 which are, *inter-alia,* aimed to incorporate the above guidelines, and certain other provisions regarding arrests, in the Code. It has also been proposed to insert a new section 357(a) in Cr. P.C. to provide for compensating to the victims of all types of crimes including custodial crimes.

Statement

Deaths in judicial as well as in police custody reported in NHRC

Sl.No.	Year	Number of cases	
		Judicial Custody	Police Custody
1.	2002-2003	1158	183
2.	2003-2004	1300	162
3.	2004-2005	1357	136
4.	2005-2006	1591	139
5.	2006-2007	1477	118
6.	2007-2008	1789	188

Gujarat Control of Organized Crime Bill, 2003

569. SHRI VIJAYKUMAR RUPANI: Will the Minister of HOME AFFAIRS be pleased to state: